



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-85-15

Property Address: 2517 Kenmore Drive

Property Owner: William and Kathryn Holding

Project Contact: William Holding

Nature of Case: A request for the following variances from the regulations set forth in Section 2.2.1 of the Part 10A Unified Development Ordinance: a .5' side yard setback variance to legalize an existing detached house and a 2.5' side yard setback variance as well as a 23' rear yard setback variance in order to expand the structure on a .21 acre property zoned Residential-4 located at 2517 Kenmore Drive.

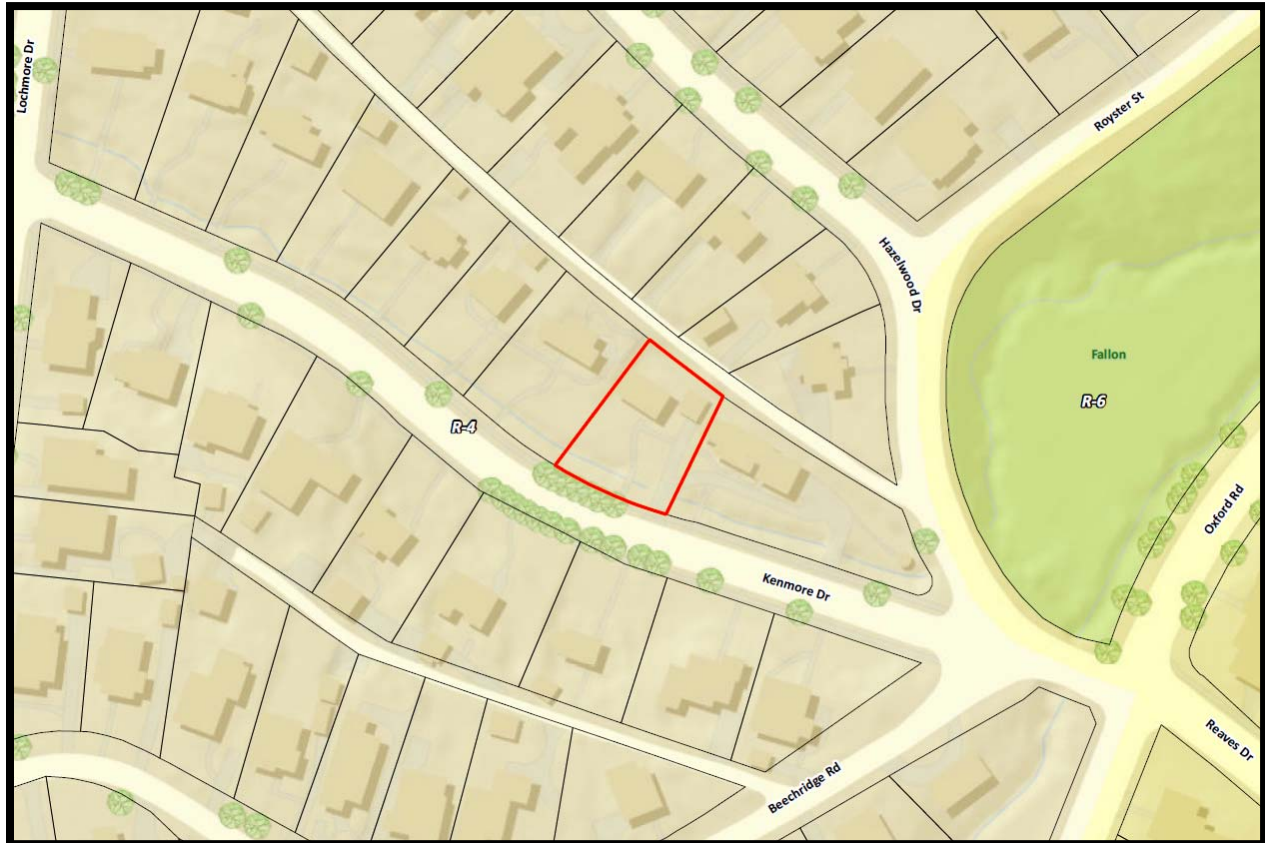


2517 Kenmore Drive – Location Map

To BOA: 10-12-15

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-4



2517 Kenmore Drive – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The subject property is zoned Residential-4

<u>Yard Type</u>	<u>Minimum Setback</u>
Front Yard	20'
Side Street	15'
Side	10'
Sum of Side Setbacks	20'
Rear	30'



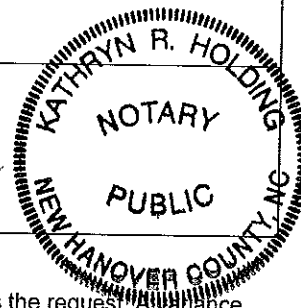
Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Variance Application

		OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) Please see attached narrative.		Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number. N/A.		

GENERAL INFORMATION		
Property Address 2517 Kenmore Dr.		Date 5/30/2015
Property PIN 1706-60-4954	Current Zoning R-4	
Nearest Intersection Kenmore, Hazelwood, and Beechridge		Property size (in acres) .21 ACS
Property Owner Kathryn R Holding William H Holding	Phone 202-378-0139	Fax
	Email william.holding@gmail.com	
Project Contact Person Will Holding	Phone 202-378-0139	Fax
	Email william.holding@gmail.com	
Property Owner Signature 	Email william.holding@gmail.com	
Notary Sworn and subscribed before me this <u>11th</u> day of <u>JUNE</u> , 20 <u>15</u>	Notary Signature and Seal EXP. 9/26/2015	



It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.

Raleigh Board of Adjustment
Zoning Division
One Exchange Plaza, Suite 300
Raleigh, North Carolina 2761
Phone: 919-996-2626

Dear Board of Adjustment,

The homeowners, Will and Kathryn Holding, seek a 23' setback variance from the regulations set forth in the Raleigh Unified Development Ordinance, Article 2.2.

House and Property Background:

The property, located at 2517 Kenmore Drive, Raleigh, 27608, and occupying lots 94, 95, and 96 of the Kenmore subdivision, is .21 acres in total size and is zoned R-4. The house was built in 1941 and has 1,690 heated square feet, including two bedrooms and one full bathroom. We purchased the property in 2013. Since 1978, this property has changed ownership eight times. During that period, the average length of ownership for this property was four and a half years. (Ex. 1) The size of the home is a likely factor in the frequent turnover. Our hope is to remain on the property for many years and raise our family here. In order to do so, we must expand the house to accommodate family growth. We have a 20-month old daughter, and are expecting a second child in 2016.

The house has two bedrooms, one full bathroom and limited closet space, as indicative of houses its age. It is a two-story home. Our general contractor, Rick Parker of Renovation Specialists, has told us that adding a third floor to the house is not a viable option due to the house's age and how it was constructed; the house's structure and foundation might not support the load of a third story.

The rear of the house is 21.6 feet from the property line at its closest point. (Ex. 2) This is already in conflict with the UDO, which requires a 30-foot setback from the rear of the property. The footprint of the home is 1,025 square feet. The rear line of the property backs up to an alleyway, not another residence or building, which is used for ingress and egress by many of our neighbors. We have included photographs of the rear portion of the property and the alleyway for reference.

A creek traverses the front yard, which flows into Crabtree Creek and ultimately the Neuse River, making it a Neuse River tributary. There are various restrictions in place in regard to building adjacent to waters making up the Neuse River Basin. Specifically, NC regulation 15A NCAC 02B .0233 establishes restrictions for development close to Neuse River tributaries, specifically preventing development in the riparian buffer zone, 50 feet on either side of the bank, of the Neuse River and its tributaries. Development to the front of the house would be in violation of NCAC 02B .0233. There is not enough room on either side of the house to make the necessary renovations.

Proposed Construction Plans:

To accommodate our growing family, we seek to add a third bedroom, second full bath, extended family room and additional closet space. We have included the proposed site and floor plans in this request for

reference. (Ex. 3) The construction relevant to this proposal includes an expanded first floor family room and second floor bedroom, bathroom and closet. If this addition is not an option, we will sell the property and move to a larger house.

Consistency with Variance Considerations:

- 1. Unnecessary hardship would result from the strict application of the ordinance. In the absence of the variance, no reasonable use can be made from the property.**

A strict application of the ordinance creates an unnecessary hardship on the homeowners. The ordinance requires a 30 ft. rear setback for the home, zoned R-4. The rear of the house is 21.6 feet from the property line at its closest point, already in violation of the UDO. The hardship results from a small home located on a lot with limited space to grow within the current boundaries, unless the Board of Adjustment grants a variance to the setback. Without an addition to the home, the house will not be able to accommodate families with more than one child, which may result in the continued, frequent turnover of the property. The current UDO creates a hardship that prevents us from remaining on the property for many years, as we hope to do.

- 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis of granting a variance.**

A creek traverses the front yard of the property, which flows into Crabtree Creek and ultimately the Neuse River, making it a Neuse River tributary. There are various restrictions in place in regard to building adjacent to waters making up the Neuse River Basin. Restrictions for development close to Neuse River tributaries along with grading challenges make an addition to the front of the home not viable. Specifically, NC regulation 15A NCAC 02B .0233 prevents development in the riparian buffer zone, 50 feet on either side of the bank, of the Neuse River and its tributaries. Any development to the front of the house would be in violation of NCAC 02B .0233. There is not enough room on either side of the house to make the necessary renovations.

If the variance is granted and the project completed, the home will be 7 feet from the property line in the rear, 23 feet less than the required 30 feet. The rear property line abuts a 15-foot wide alley, which is City of Raleigh property used for ingress and egress by residents of Kenmore Drive and Hazelwood Drive. If the variance is granted, the rear of the home will be at least 22 feet from privately-owned residential property.

Please consider our request for this variance. It is within the spirit of the UDO as it will protect the general welfare of Raleigh residents, protect watersheds, and improve the built environment and human habitat in Raleigh. We have discussed this project with our neighbors, and all hope to see this proposal be accepted.


[Home](#)

Wake County Real Estate Data Land Valuation

[iMaps](#)
[Tax Bills](#)
Real Estate ID **0019560** PIN # **1705604954**
[Account Search](#)
Location Address
2517 KENMORE DRProperty Description
LO94-96 KENMOOR
[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

Land Class	R-<10-HS	Deeded Acres	0.23	Farm Use Year
Soil Class	4	Calculated Acres		Farm Use Flag

Land Value Detail - Market								
Sch	ETJ	Zoning	Description	Units	Rate	Cnd% Reason	Inf% Reason	Value
4	RA	R-4	LOT	1	\$400,000	71		\$284,000
Total Land Value Assessed								\$284,000

*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.



Wake County Real Estate Data Ownership History

[iMaps](#)
[Tax Bills](#)

[Account Search](#)

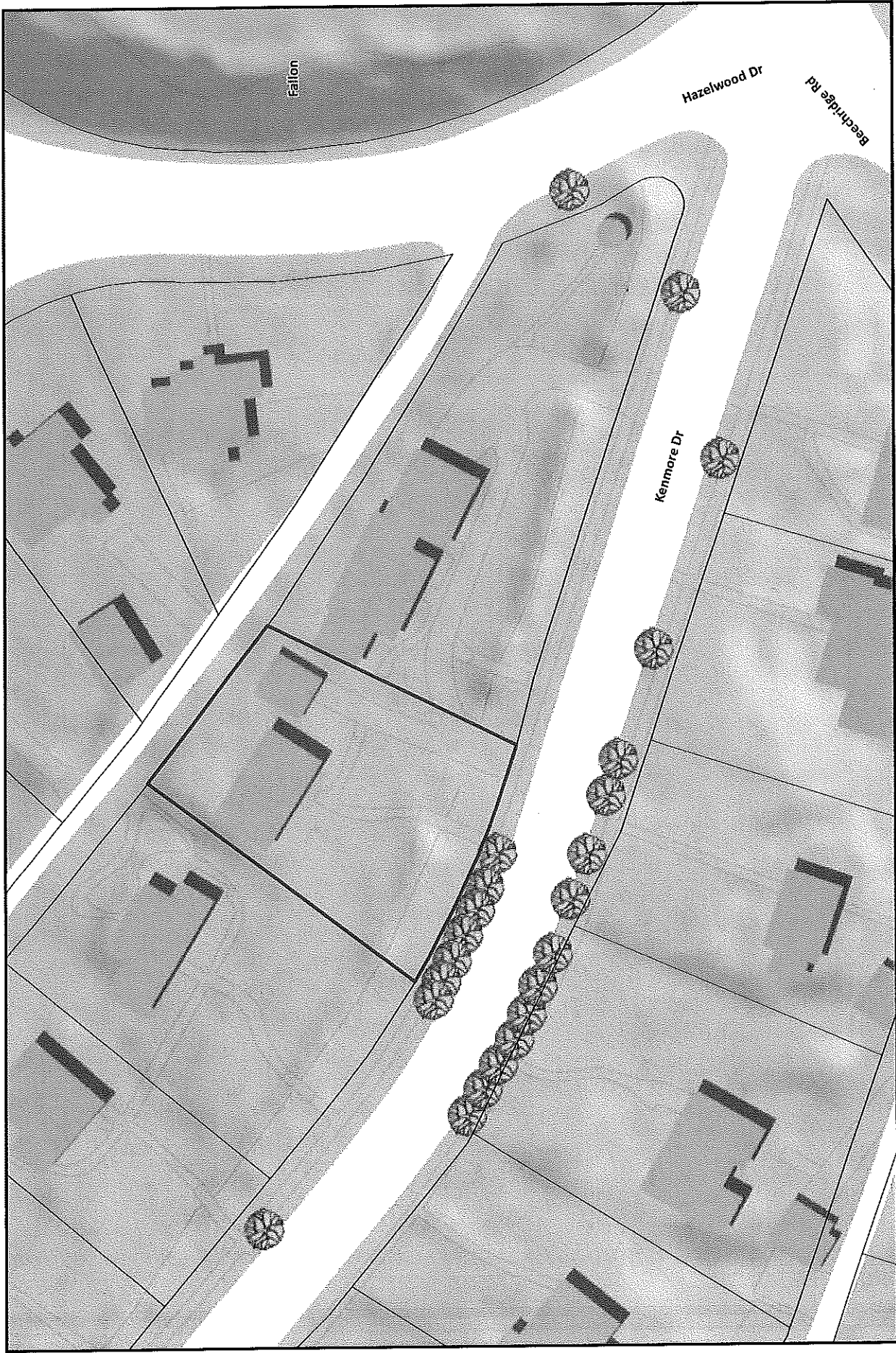
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Owner Name	Type	% Own	Stamps	Book	Page	Date
Current HOLDING, KATHRYN R & WILLIAM HOWARD		ALL	860.00	15298	0027	05-31-2013
1 Back LOGUE, STEPHEN S		ALL	890.00	12691	2513	08-03-2007
2 Back TURNER, TISHA SUE		ALL	600.00	08672	1427	08-31-2000
3 Back MILLER, LAURA KATHERINE		ALL	420.00	06910	0923	03-29-1996
4 Back CARSON, MARGARET GLASGOW		ALL	312.00	05646	0066	06-11-1993
5 Back FRANTZ, STUART MAYS & ELLA P		ALL	130.00	03730	0164	05-23-1986
6 Back WILLIFORD, JOSEPH W & BARBARA W		ALL	30.50	02928	0121	05-01-1981
7 Back CRUMPLER, L BURKS & SUE P		ALL	52.00	02624	0119	01-01-1978

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Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

The hardship is specific to this property. It is due to size of the home, the size of the lot, the location of the existing structure on the lot, and the features of the lot such as a Neuse River tributary in the front yard. The hardship does not result from any factor relating to the surrounding neighborhood or the general public.

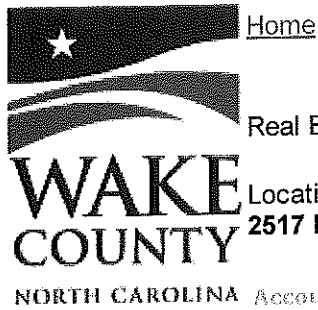
- 3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances may exist that may justify the granting of a variance shall not be regarded as a self-created hardship.**

The hardship is not a result from any action taken by us, the owners. We have not made substantial changes to the property since purchasing it in 2013.

- 4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.**

The Raleigh UDO is "adopted to preserve, protect and promote the public health, safety and general welfare of residents and businesses in the City", and the intent of the Residential Districts Chapter of the Raleigh UDO is to "protect established residential neighborhoods". An addition to this 1941 home will support stable home homeownership on this property and protect our residential neighborhood. A thoughtful addition to the existing older home will continue the spirit of the architectural style of the houses in the neighborhood and eliminate a tear-down/build new house situation. Stable home ownership will improve the welfare for the property owners and the surrounding neighbors. Longer tenured neighbors in a community allows for more time for relationships to build, thereby strengthening the community. By granting our requested variance, the Board of Adjustment will support the general welfare of Raleigh residents.

Finally, the variance will improve the built environment and human habitat without damaging the City's natural beauty, walkable public space, environmental health, or any other factor detrimental to the City or its residents.



Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)

Real Estate ID **0019560** PIN # **1705604954**

Account
Search

Location Address
2517 KENMORE DR

Property Description
LO94-96 KENMOOR

[Pin/Parcel History](#) [Search Results](#) [New Search](#)



[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

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Property Owner HOLDING, KATHRYN R & WILLIAM HOWARD (Use the Deeds link to view any additional owners)		Owner's Mailing Address 2517 KENMORE DR RALEIGH NC 27608-1419	Property Location Address 2517 KENMORE DR RALEIGH NC 27608-1419
Administrative Data Old Map # F023-F0115-0015 Map/Scale 1705 19 VCS 01RA250 City RALEIGH Fire District Township RALEIGH Land Class R-<10-HS ETJ RA Spec Dist(s) Zoning R-4 History ID 1 History ID 2 Acreage .23 Permit Date Permit #		Transfer Information Deed Date 5/31/2013 Book & Page 15298 0027 Revenue Stamps 860.00 Pkg Sale Date 5/31/2013 Pkg Sale Price \$430,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 1,690	Assessed Value Land Value Assessed \$284,000 Bldg. Value Assessed \$161,562 Tax Relief Land Use Value Use Value Deferral Historic Deferral Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$445,562 Assessed*

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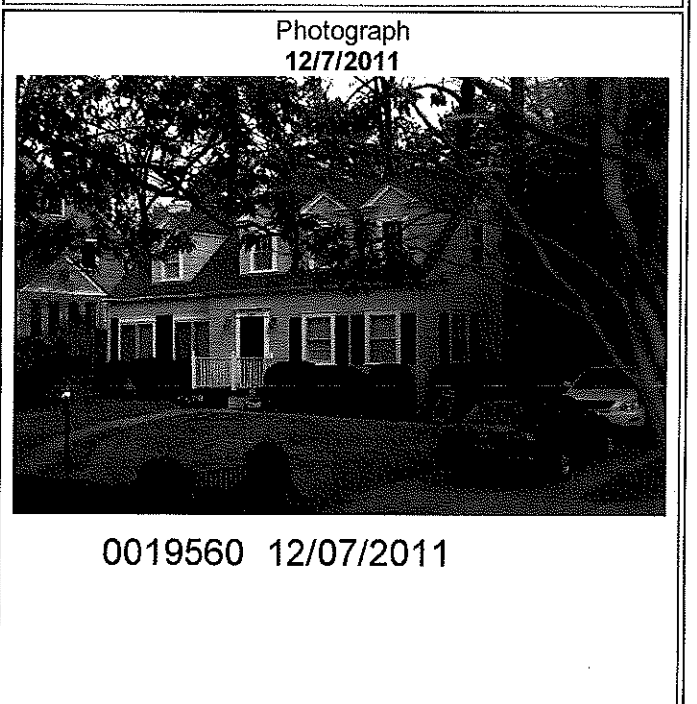
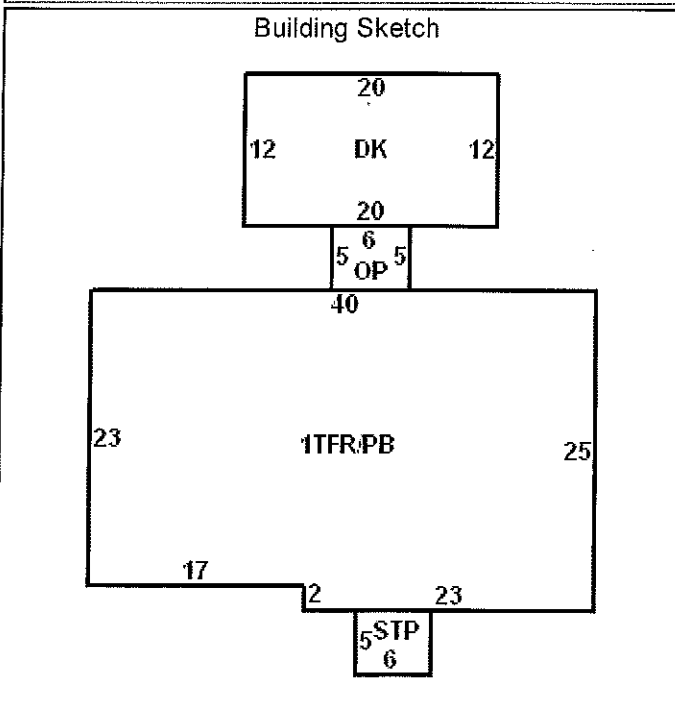
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Real Estate ID **0019560**PIN # **1705604954**Account
SearchLocation Address
2517 KENMORE DRProperty Description
LO94-96 KENMOOR[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address 2517 KENMORE DR		Building Description 01RA250	Card 01 Of 01
Bldg Type	01 Single Family	Year Blt 1941 Eff Year 1965	Base Bldg Value \$133,346
Units	1	Addns Remod	Grade A-10 130%
Heated Area	1,690	Int. Adjust. BSMT-Unfinished	Cond % B 71%
Story Height	1.75 Story	Other Features One Fireplace	Market Adj. F 130%
Style	Conventional		Market Adj.
Basement	50% Partial Bas		Accrued % 92%
Exterior	Frame		Incomplete Code
Const Type			Card 01 Value \$161,562
Heating	Central		All Other Cards
Air Cond	Central		Land Value Assessed \$284,000
Plumbing	1.5 BATH		Total Value Assessed \$445,562

Main and Addition Summary					Other Improvements					
Story	Type	Code	Area	Inc	Units	DesItem	Code	Year	%ADJ	Inc Value
M	1T	FR/PB	966		12X18	SF GARFR	0290	1950	25	1560
A	STP	=	30							
B	OP	R	30							
C	DK	@	240							
D										
E										
F										
G										
H										



8/17/2015

Parcel Photos - 0019560



[Home](#)

Wake County Real Estate Data Photographs

[iMaps](#)
[Tax Bills](#)

Real Estate ID **0019560** PIN # **1705604954**

[Account Search](#)

Location Address
2517 KENMORE DR

Property Description
LO94-96 KENMOOR

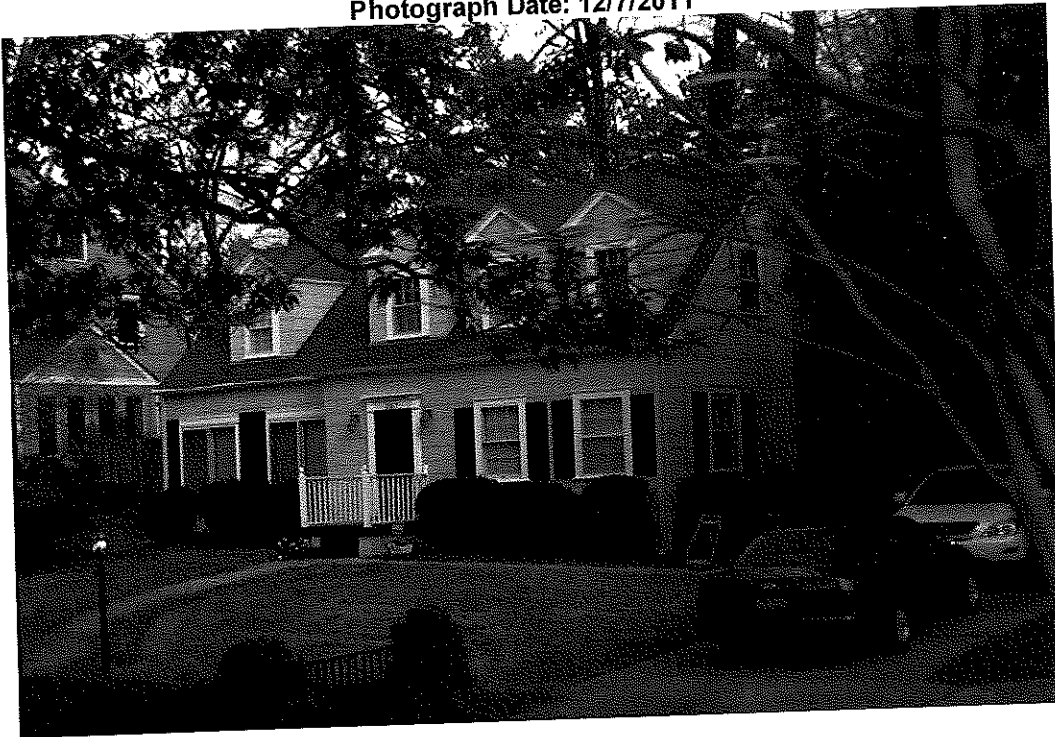
[Pin/Parcel History](#) [Search Results](#) [New Search](#)



[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

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Photograph Date: 12/7/2011



0019560 12/07/2011

Photograph Date: 12/14/1995



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AS-BUILT SURVEY FOR
KATHRYN HOLDING
AND
WILLIAM HOLDING

LOTS 94, 95 AND 96
KENMOOR
CITY OF RALEIGH
WAKE COUNTY, NORTH CAROLINA
ADDRESS: 2517 KENMORE DRIVE
PIN: 1705-60-4954

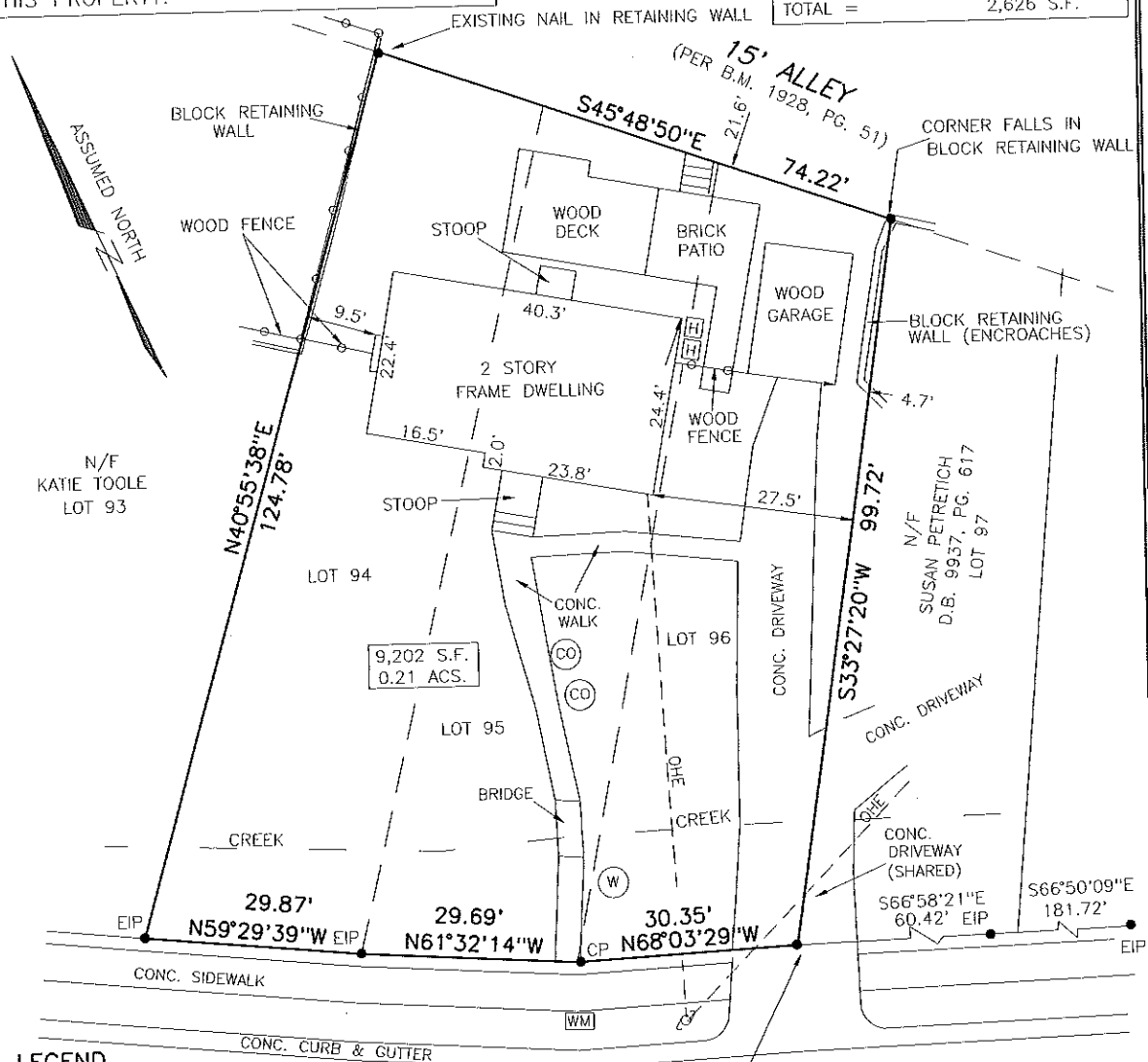
SEE BOOK OF MAPS 1928, PAGE 51 FOR
OTHER PERTINENT INFORMATION REGARDING
THIS PROPERTY.

NOTES

1. AREA BY COORDINATE CALCULATION.
2. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS OF RECORD PRIOR TO THE DATE OF
3. NO GRID MONUMENTS FOUND WITHIN 2000' OF PROPERTY.
4. THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH NORTH CAROLINA STANDARDS, GS47-30, AND REQUIREMENTS OF LAW, BUT A NORTH CAROLINA LICENSED ATTORNEY-AT-LAW SHOULD BE CONSULTED REGARDING CORRECT OWNERSHIP, WIDTH AND OWNERSHIP OF EASEMENTS AND OTHER TITLE QUESTIONS REVEALED BY A TITLE EXAMINATION.

EXHIBIT 2

EXISTING IMPERVIOUS SURFACE AREAS	
HOUSE =	1,025 S.F.
BRICK =	225 S.F.
GARAGE =	216 S.F.
CONC. =	1,060 S.F.
MISC. =	100 S.F.
TOTAL =	2,626 S.F.



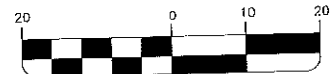
LEGEND

EIP = EXISTING IRON PIN
R/W = RIGHT-OF-WAY
CP = CALCULATED POINT
N/F = NOW OR FORMERLY
P = POWER POLE
OHE = OVERHEAD ELECTRIC

WM = WATER METER
W = WELL
H = HEAT AND AIR UNIT
CO = SEWER CLEAN-OUT

KENMORE DRIVE
50' PUBLIC R/W
(27' B-B)

EXISTING RE-BAR
IN CONCRETE



(IN FEET)
1 inch = 20 ft.

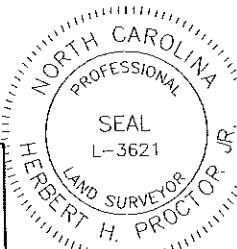
STEWART-PROCTOR
ENGINEERING and SURVEYING
319 CHAPANOKE ROAD SUITE 106
RALEIGH, NC 27603
TEL. 919 779-1855 FAX 919 779-1661

DATE 04/08/2015

SURVEYED

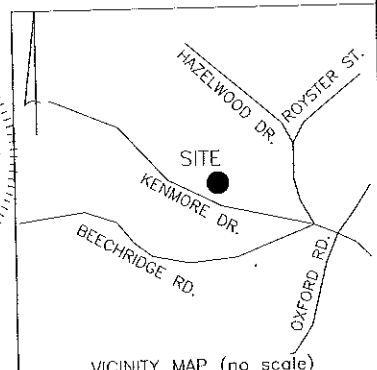
SCALE 1"=20'

DRAWN



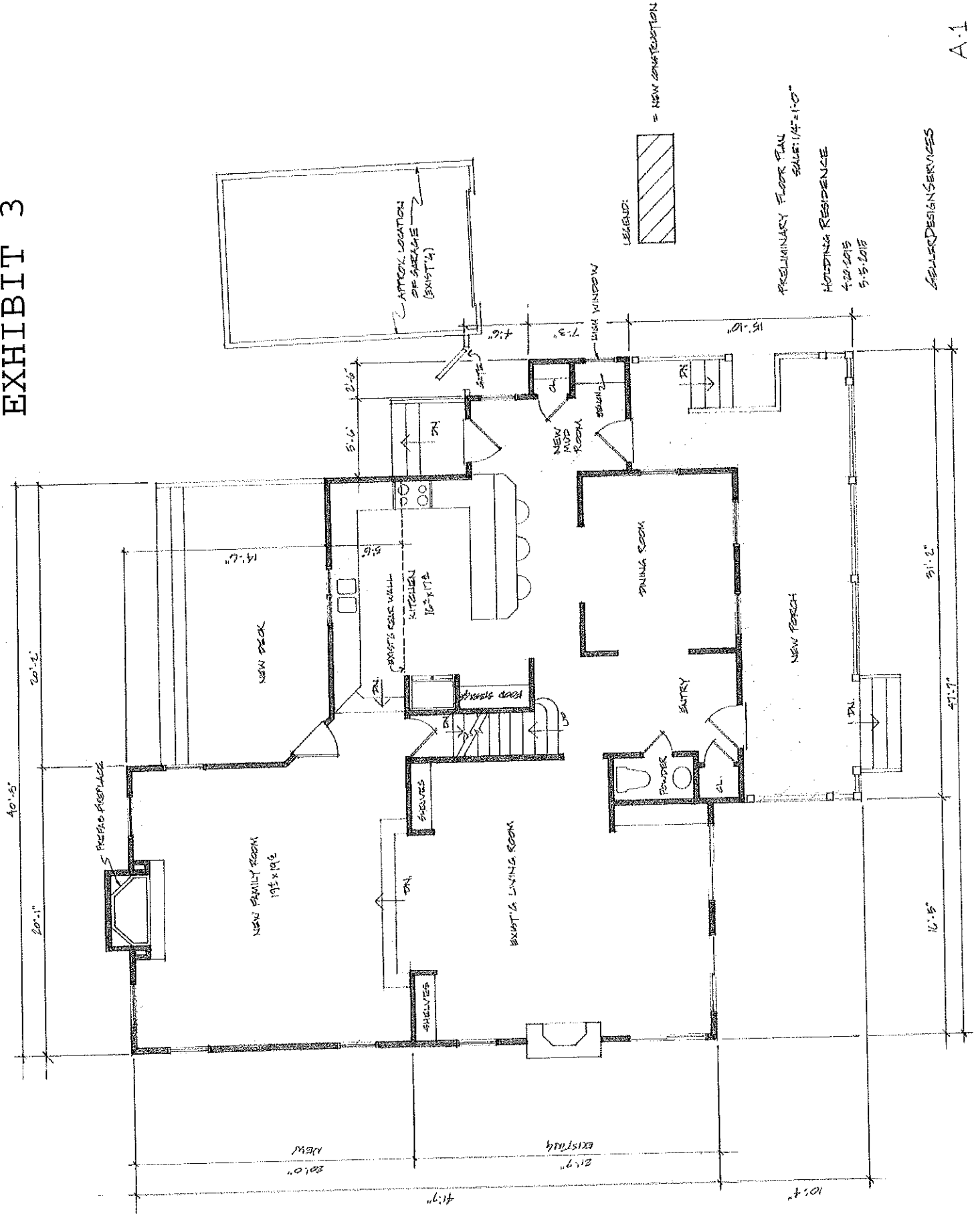
DRAWING

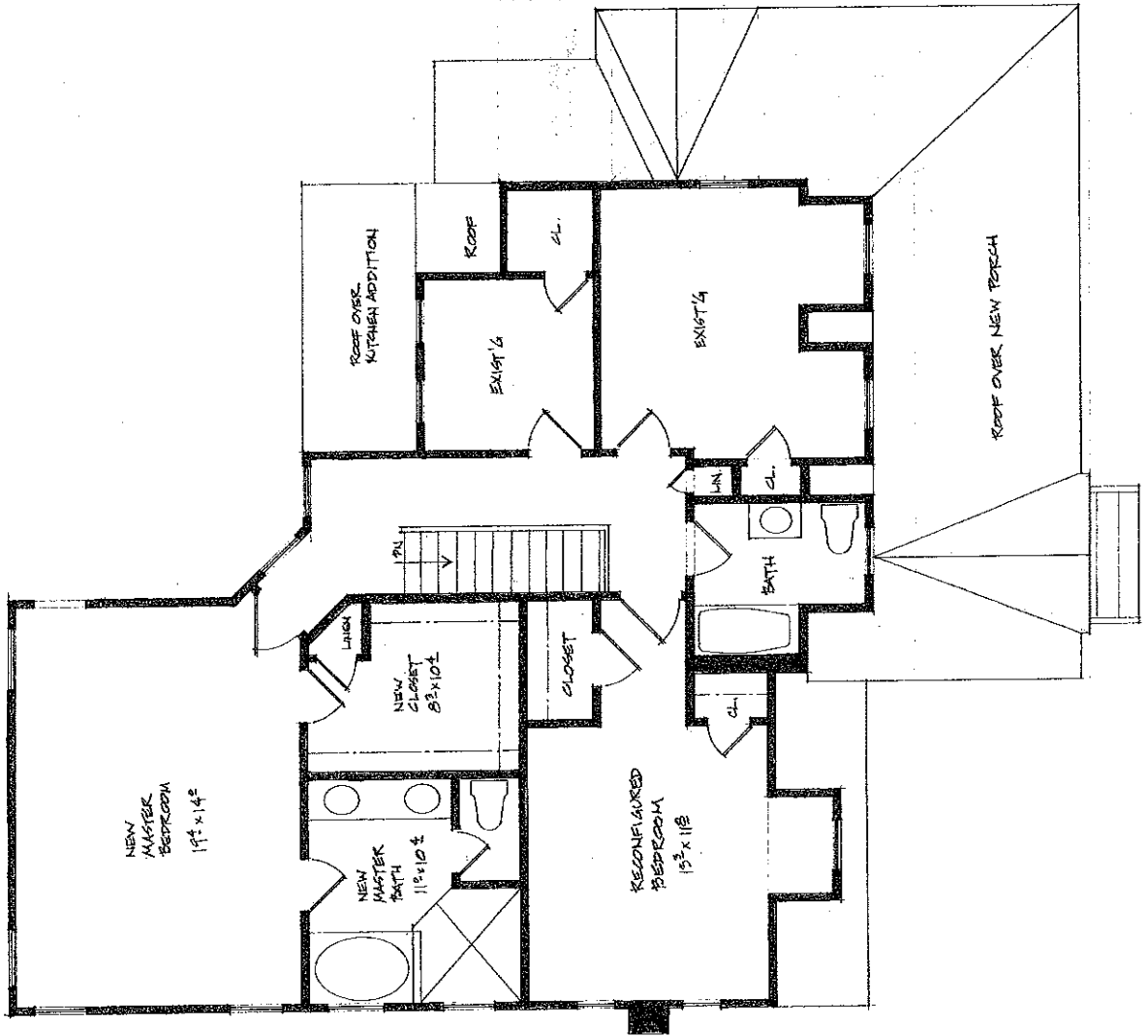
"2517-KENMORE"



VICINITY MAP (no scale)

EXHIBIT 3



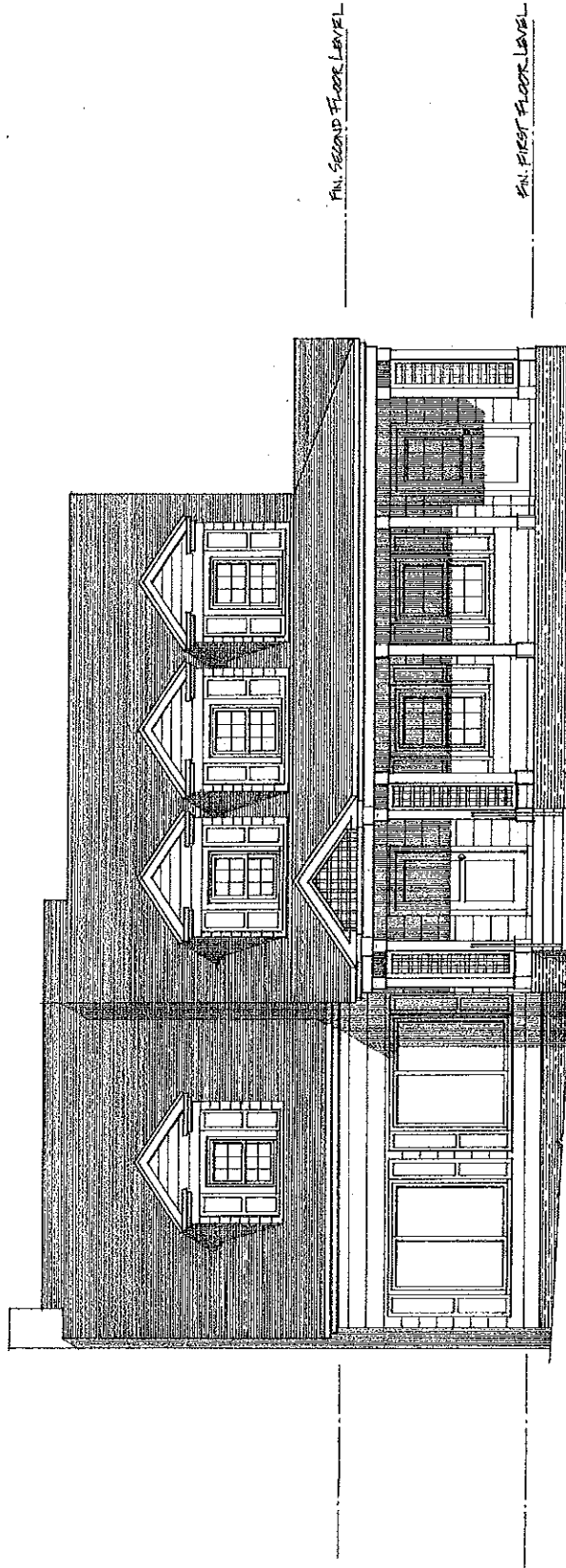


REVISED SECOND FLOOR PLAN
2.17.2015

HOLDING RESIDENCE

GELLER DESIGN SERVICES

A-2



FIN. SECOND FLOOR LEVEL

FIN. FIRST FLOOR LEVEL

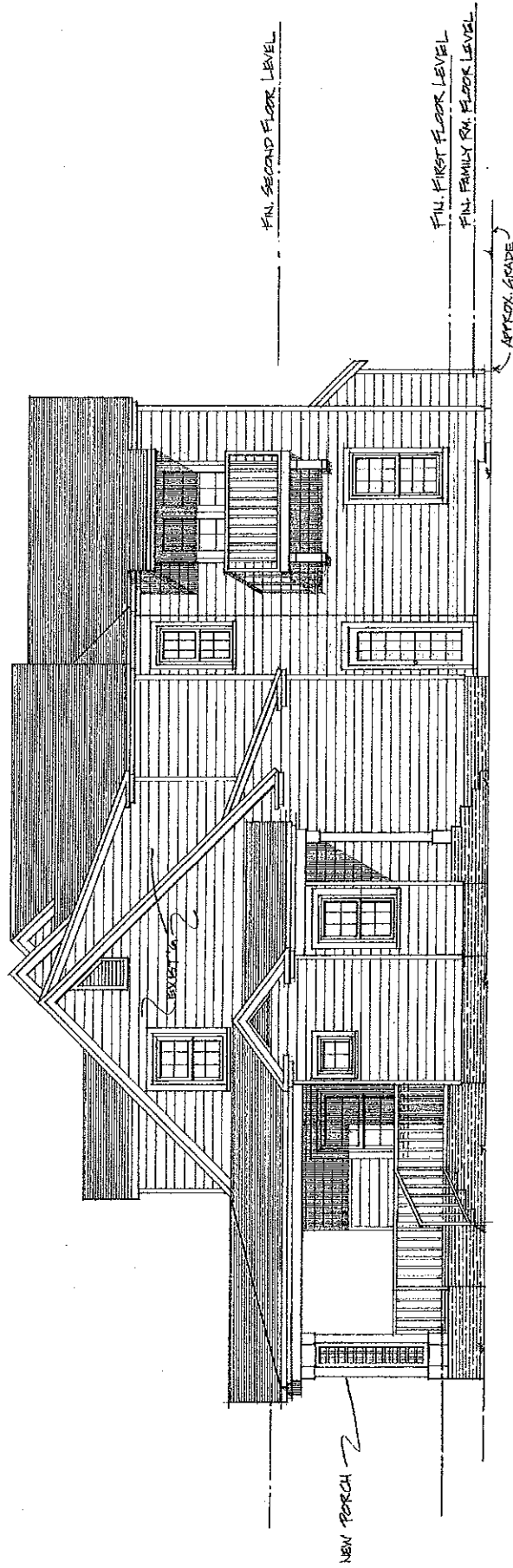
FRONT ELEVATION

SCALE: 1/4" = 1'-0"

HOLDING RESIDENCE
RALEIGH, NC.

4-27-2016

GELLERDESIGNSERVICES



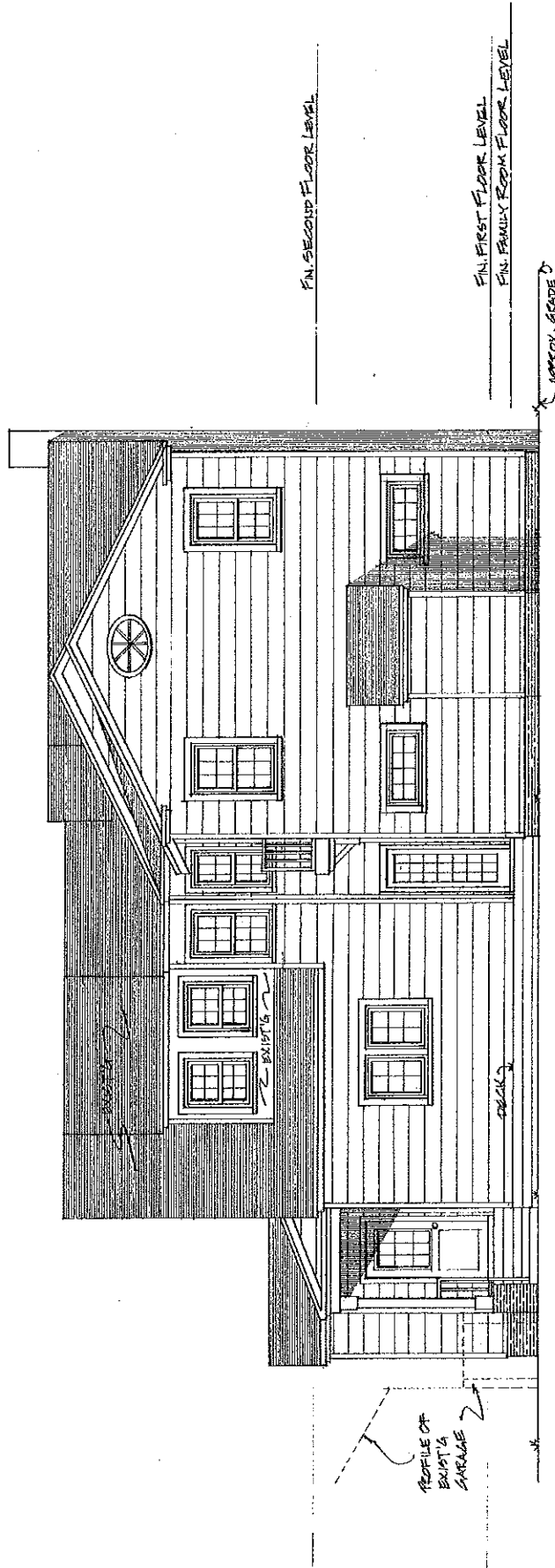
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

HOLDING RESIDENCE
RALEIGH, NC

4.29.2015

GELLER DESIGN SERVICES

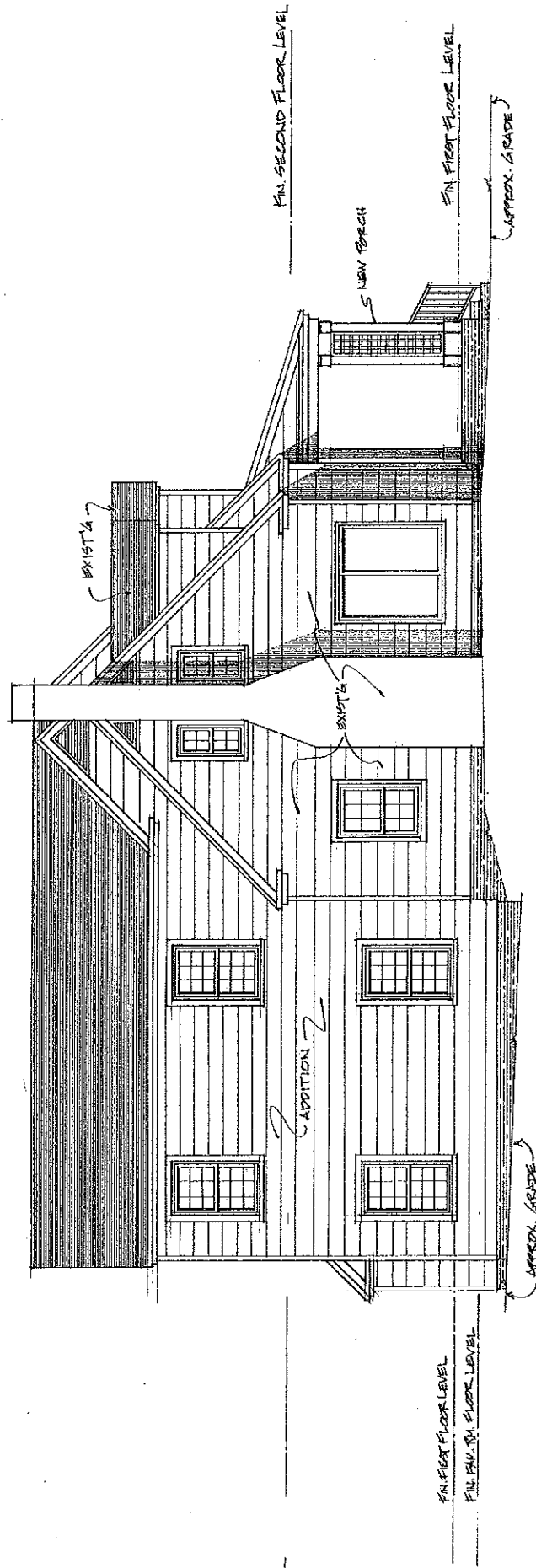


REAR ELEVATION
SCALE: 1/4" = 1'-0"

HOOVER RESIDENCE
RALEIGH, NC

4-27-2016

GELLER DESIGN SERVICES



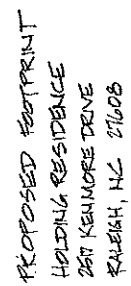
LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

HOLDING RESIDENCE
RALEIGH, NC

4.13.2015

GELLER DESIGN SERVICES

A-6



5.5.2015
6.8.2015 (REV.)

SITE PLAN

EXHIBIT 4











EXHIBIT 5

Neighbors Within 100 Feet of 2517 Kenmore Dr.

#	Name	Address
1	John and Susie Petretich	2519 Kenmore Drive, Raleigh NC, 27608
2	Sterling and Ashley Perkinson	2518 Kenmore Drive, Raleigh NC, 27608
3	Chris and Rebecca Shankle	2516 Kenmore Drive, Raleigh NC, 27608
4	Justin and Katie Calvillo	2514 Kenmore Drive, Raleigh NC, 27608
5	Martha Parks	2512 Kenmore Drive, Raleigh NC, 27608
6	Margaret Jospelson	2513 Kenmore Drive, Raleigh NC, 27608
7	Katie Toole	2515 Kenmore Drive, Raleigh NC, 27608
8	Catherine Burton and David Gates	2609 Hazelwood Drive, Raleigh NC 27608
9	Morris Hayes	2607 Hazelwood Drive, Raleigh NC 27608
10	Turner Gray	2605 Hazelwood Drive, Raleigh NC 27608
11	Lisa Monette	2603 Hazelwood Drive, Raleigh NC 27608